

**THORPE  
NORTH &  
WESTERN L.L.P.**

SINCE 1979

THE TEAM APPROACH TO PREMIER PERFORMANCE ®

INTELLECTUAL PROPERTY LAW

PATENTS, TRADEMARKS,

COPYRIGHTS, UNFAIR

COMPETITION, TRADE SECRETS,

LITIGATION, DISPUTE RESOLUTION

AND RELATED MATTERS

**SALT LAKE AREA OFFICE**  
8180 SOUTH 700 EAST, SUITE 200  
SANDY, UTAH 84070-0562  
801.566.6633  
801.566.0750 FAX  
PATLAW@TNW.COM  
WWW.TNW.COM

**U.S. MAILING ADDRESS**  
P.O. Box 1219  
SANDY, UTAH 84091-1219

**LAS VEGAS AREA OFFICE**  
OF COUNSEL: NEIL J. BELLER †  
7408 WEST SAHARA  
LAS VEGAS, NEVADA 89117  
702.368.7767  
† ADMITTED IN NEVADA

265472  
14  
1-31-03

VAUGHN W. NORTH  
M. WAYNE WESTERN  
GARRON M. HOBSON  
PETER M. DE JONGE  
CLIFTON W. THOMPSON  
STEVE M. PERRY  
WEILI CHENG, PH.D.  
DAVID R. MCKINNEY, PE.  
GARY P. OAKESON  
DAVID W. OSBORNE  
KEITH HARGROVE  
DAVID L. STOTT  
JASON R. JONES  
PAUL C. OESTREICH, M.S.  
ERIK S. ERICKSEN, M.S.  
REGISTERED PATENT ATTORNEYS

TODD B. ALDER, PH.D.  
JONATHAN M. BENNS, PH.D.  
TECHNICAL CONSULTANTS

CALVIN E. THORPE  
(1938-1999)

**RECEIVED**

**JAN 28 2003**

**Technology Center 2600**

January 21, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. §§ 1.56 and 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- X Form PTO-1449 list of 9 references submitted for consideration.
- X Legible copies of the listed references or their relevant portions.
- All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.

- \_\_\_ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- \_\_\_ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

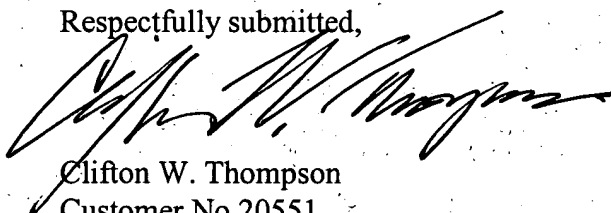
In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- ☒ Statement under 37 C.F.R. § 1.97(e)(1) or (2).
- \_\_\_ Check No. \_\_\_ in the amount of \$ (amount in § 1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Statement meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 20-0100 of the undersigned.

Dated this 21<sup>st</sup> day of January, 2003.

Respectfully submitted,



Clifton W. Thompson  
Customer No. 20551  
Attorney for Applicant  
Registration No. 36,947  
Docket No. T9468.NP  
Application Ser. No. 10/091,950

**THORPE NORTH & WESTERN, L.L.P.**  
P.O. Box 1219  
Sandy, UT 84091-1219  
Telephone (801) 566-6633

CWT:ja  
enclosure



U.S. PATENT APPLICATION NO. 10/091,950  
DOCKET NO. T9468.NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: NORRIS, ET AL.  
SERIAL NO.: 10/091,950  
FILED: 3-4-02  
CONFIRM. NO.: 7889  
FOR: SYSTEM FOR PLAYBACK OF  
PRE-ENCODED SIGNALS  
THROUGH A PARAMETRIC  
LOUDSPEAKER SYSTEM  
ART UNIT: 2654  
EXAMINER:  
DOCKET NO.: T9468.NP

CERTIFICATE OF DEPOSIT  
UNDER 37 C.F.R. § 1.8

I hereby certify that this  
correspondence is being deposited  
with the United States Postal  
Service as First Class Mail, postage  
prepaid, under 37 C.F.R. § 1.8 on  
the date indicated below and is  
addressed to Assistant  
Commissioner of Patents,  
Washington, D.C. 20231.

*Christopher W. Thompson*  
Attorney

*January 21st 2003*  
Date of Deposit

RECEIVED

JAN 28 2003

Technology Center 2600

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to:

X 37 C.F.R. § 1.97 (b)(1) or (3), within three months of the filing date of the application, or before a first office action on the merits, whichever occurs last;

\_\_\_\_\_ 37 C.F.R. § 1.97 (c), after a first office action on the merits, but before a Final Office Action or a Notice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in accordance with 37 C.F.R. § 1.97(e), or 2) the fee set forth in § 1.17(p); or

\_\_\_\_\_ 37 C.F.R. § 1.97 (d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in § 1.17(p).

While no representation is made that any of these references may be "prior art" within the meaning of that term in accordance with 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is also enclosed.

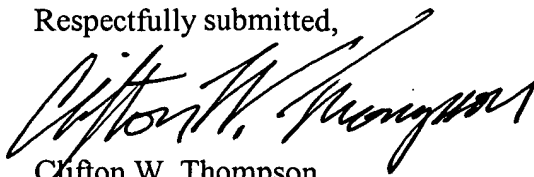
For all listed references that are not either in the English language, or accompanied by a translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is enclosed attached to each.

Assistant Commissioner of Patents  
Page 3

Please charge any additional fees or credit any overpayment to Deposit Account No. 20-0100.

DATED this 21st day of January, 2003.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Clifton W. Thompson". The signature is fluid and cursive, with a large, sweeping initial "C".

Clifton W. Thompson  
Attorney for Applicant  
Registration No. 36,947

THORPE, NORTH & WESTERN, L.L.P.  
P.O. Box 1219  
Sandy, Utah 84091-1219  
Telephone (801) 566-6633

CWT:ja

*H:\FILES\T9000\T9468\T9468.NP\IDS statement.wpd*



PATENT APPLICATION  
DOCKET NO. T9468.NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: NORRIS, ET AL.  
SERIAL NO.: 10/091,950  
FILED: 3-4-02  
FOR: SYSTEM FOR PLAYBACK OF  
PRE-ENCLOSED SIGNALS  
THROUGH A PARAMETRIC  
LOUDSPEAKER SYSTEM  
ART UNIT: 2654  
EXAMINER:  
DOCKET NO.: T9468.NP

CERTIFICATE OF DEPOSIT  
UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Assistant Commissioner of Patents, Washington, D.C. 20231.

*Judy Anderson*  
*Jan. 21<sup>st</sup>, 2003*  
Date of Deposit

RECEIVED

JAN 28 2003

Technology Center 2800

PROMPTNESS CERTIFICATE UNDER 37 C.F.R. §1.97(e)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

X I hereby certify that each item contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

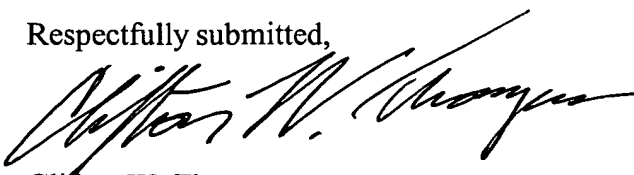
   I hereby certify that no item contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual

designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

Please charge any additional fees or credit any overpayment to Deposit Account No. 20-0100.

DATED this 21<sup>st</sup> day of January, 2003.

Respectfully submitted,



Clifton W. Thompson  
Attorney for Applicant  
Registration No.36,947

THORPE NORTH & WESTERN, L.L.P.  
Customer No. 20,551  
P.O. Box 1219  
Sandy, Utah 84091-1219  
Telephone (801) 566-6633

CWT:ja

Enclosures

Sheet 1

PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. T9468.NP	SERIAL NO: 10/091,950
LIST OF PRIOR ART CITED BY APPLICANT		APPLICANT Norris, et al.	
		FILING DATE 3-4-02	GROUP

## U.S. PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,095,509	Volk	10 March 1992			
	AA	5,745,582	Shimpuku et al	28 April 1998			
	AC	5,758,177	Gulick et al	26 May 1998			
	AD	5,859,915	Norris	12 Jan. 1999			
	AE	6,052,336	Lowery, III	18 April 2000			
	AF	6,108,427	Norris et al	22 Aug. 2000			
	AG	6,229,899	Norri et all	8 May 2001			
	AH	6,378,010	Burks	23 April 2002			
	AI	6,445,804	Hirayanagi	3 Sept. 2002			
	AJ						
	AK						
	AL						
	AM						
	AN						
	AO						
	AP						
	AQ						
	AR						

RECEIVED

JAN 28 2003

Technology Center 2600

## FOREIGN PATENT DOCUMENT

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
	AS						YES	NO
	AT							
	AU							
	AV							
	AW							

## OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

	AX						
	AY						
	AZ						

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance And not considered. Include copy of this form with next communication to Applicant.